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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/631,730	08/03/2000	Akito Ohkubo	Q60282	9227

7590 05/17/2004

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2100 Pennsylvania Avenue NW  
Washington, DC 20037-3202

EXAMINER
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CARTER, TIA A

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 05/17/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/631,730

Applicant(s)

OHKUBO, AKITO

Examiner

Tia A Carter

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-5 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Ueda (US. 6172681).

Regarding claim 1, Ueda discloses a correcting color extracting method comprising:

An image data obtaining step of obtaining image data outputted from an input device for receiving an input device for receiving an original image and outputting the image data representative of received image which is subjected to a color correction for the original image (fig. 6, col. 8, lines 36-45);

A first conversion step of converting the image data obtained by said image data obtaining step into coordinate values of a colorimetry color space describing a measured value of a color, corresponding to a color of an image obtained when the image based on the obtained image data is outputted from an output device for

outputting the image based on the image data, in accordance with characteristics of an image output of the output device (fig. 6, col. 8, lines 45-60); and

Coordinates obtaining step for obtaining the coordinate values of the colorimetry color space corresponding to the color of the original image, said coordinates obtaining step being not restricted in sequence of the step to be executed (fig. 6, col. 8, lines 15-65),

Whereby an association between colors before and after the color correction is extracted (fig. 6, col. 14, lines 29-34).

Regarding claim 2, Ueda discloses a color correcting relation extracting method according to claim 1, wherein said coordinates obtaining step includes a characteristics obtaining step of obtaining a characteristics value capable of being converting into the coordinate values of the colorimetry color space, corresponding to a color of the original image, and a second conversion step of converting the characteristic value obtained by the characteristic value obtaining step into the coordinate values of the colorimetry color space (fig. 6, col. 8, lines 15-65).

***Allowable Subject Matter***

1. Claims 3-5 are allowed.

2. The following is an examiner's statement of reasons for allowance: The prior art searched and cited failed to overcome the limitations cited below from the present inventions.

"Whereby said color correction conversion definition producing step produces a color correction conversion definition defining an association between coordinate values of the colorimetry color space corresponding to colors before and after the color correction"

"A color correction conversion step of using the color correction conversion definition produced in said color correction conversion definition producing step to convert coordinate values of the colorimetry color space corresponding to colors before the color correction into coordinate values of the colorimetry color space corresponding to colors after the color correction";

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kim (US. 6480622), Jacobs (US. 5481655), Narahara (US. 6023527), Rolleston et al. (US. 5483360), and Taniuchi et al. (US. 5200832) are cited to show related art with respect to color conversion and correction of image data in specific color spaces.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (7:00-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/631,730

Page 6

Art Unit: 2626

Tia A Carter

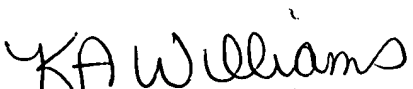
Examiner

Art Unit 2626



TAC

April 30, 2004

  
KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER